

Authority, the United States Department of the Air Force would receive a covenant not to take administrative action from the United States Environmental Protection Agency under the proposed Airport Property Decree, and would effect Final Settlement under the TARP Decree. The proposed modification to the TARP Decree is lodged with the Court in order to allow the public to evaluate the Environmental Protection Agency's covenant not to take administrative action against the Department of the Air Force under the proposed Airport Property Decree.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Airport Property Decree. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d). Comments should be addressed to the Assistant Attorney General for the Environmental and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Tucson Airport Authority, et al.*, D. Ariz, Civil No. CIV-99-313-TUC-WDB, DOJ Ref. #90-11-3-369/2.

The Airport Property Decree and the modification to the TARP Decree may be examined at the office of the United States Attorney, District of Arizona, 110 S. Church Avenue, Suite 8310, Tucson, Arizona 85701; the Region 9 Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California 94105; and at the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed Airport Property Decree and modification to the TARP Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW, 3rd Floor, Washington, DC 20005. In requesting copies please refer to the referenced case and enclose a check in the amount of \$80.25 for the Airport Property Decree and \$8.25 for the modification to the TARP Decree (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

Chief, Environmental Enforcement Section, Environmental and Natural Resources Division.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Jeffrey I. Goltz, M.D.; Revocation of Registration

On November 5, 1998, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA) issued an Order to Show Cause to Jeffrey I. Goltz, M.D., of Washington, DC, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration AG2606599 pursuant to 21 U.S.C. 824(a)(3), for reason that he is not currently authorized to handle controlled substances in the District of Columbia. The order also notified Dr. Goltz that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The Order to Show Cause Was sent to Dr. Goltz by registered mail to his DEA registered address, but was returned to DEA with a notation that Dr. Goltz had moved without leaving a forwarding address. Copies of the Order to Show Cause were sent by regular mail to Dr. Goltz at a correctional facility in Maryland and to an attorney who had previously represented Dr. Goltz. Thereafter, a DEA investigator went to Dr. Goltz' registered address and learned that he no longer resided at that location.

No request for a hearing or any other reply was received by the DEA from Dr. Goltz or anyone purporting to represent him in this matter. The Deputy Administrator finds that DEA has made numerous attempts to serve Dr. Goltz with the Order to Show Cause without success. It is evident that Dr. Goltz is no longer practicing medicine at the address listed on his DEA Certificate of Registration. Dr. Goltz is therefore deemed to have waived his opportunity for a hearing. The Deputy Administrator now enters his final order in this matter without a hearing and based on the investigative file pursuant to 21 CFR 1301.43(d) and (e) and 1301.46.

The Deputy Administrator finds that a letter in the investigative file dated March 5, 1998, from the District of Columbia Department of Consumer and Regulatory Affairs indicates that Dr. Goltz' District of Columbia controlled substances registration expired on July 30, 1996. Therefore, the Deputy Administrator finds that Dr. Goltz is not currently authorized to handle controlled substances in the District of Columbia, where he is registered with DEA.

DEA does not have the statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances in the state in which he conducts his business. See 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. See *Romeo J. Perez, M.D.* 62 FR 16,193 (1997); *Demetris A. Green, M.D.* 61 FR 60,728 (1996); *Dominick A. Ricci, M.D.* 58 FR 51,104 (1993).

Here it is clear that Dr. Goltz is not currently authorized to handle controlled substances in the District of Columbia. Therefore, Dr. Goltz is not entitled to a DEA registration there.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration AG2606599, previously issued to Jeffrey I. Goltz, M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for the renewal of such registration, be, and they hereby are, denied. This order is effective July 23, 1999.

Dated: June 14, 1999.

Donnie R. Marshall,

Deputy Administrator.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

John Robert Harrison, M.D.; Revocation of Registration

On November 17, 1998, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to John Robert Harrison, M.D., of Rhode Island, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration AH6477942 under 21 U.S.C. 824(a)(3), and deny any pending applications for renewal of his registration pursuant to 21 U.S.C. 823(f), for reason that he is not currently authorized to handle controlled substances in the State of Rhode Island. The order also notified Dr. Harrison that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The Order to Show Cause was sent by registered mail to Dr. Harrison's registered location in Rhode Island, and was returned to DEA. Another copy of